

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F054522 People v. Patricio

No brief having been filed by appellant after notice duly given under rule 8.220(a)(1) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F053073 People v. Gabriel

Appellant's petition for rehearing filed herein is denied. Upon this court's own motion, the nonpublished opinion filed in this court on April 10, 2008, is vacated.

F051590 Batth et al. v. Lion Raisins, Inc.

The judgment is affirmed. Wiseman, Acting P.J.

We concur: Levy, J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052778 People v. Scott

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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F052778 People v. Scott

The sentence is vacated and the matter is remanded for resentencing in accordance with this opinion.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F051571 North Sea Foods, Inc., et al., v. Real Equity Investments Group IV, et al.,

The judgment is reversed in part and remanded to the trial court with instructions to vacate its order sustaining the demurrers without leave to amend to the entire complaint as to plaintiff NSF and as to defendants REI, CFM, and Crockett and to enter a new order overruling those demurrers as to those parties.

The trial court is further ordered to vacate its order sustaining the demurrers without leave to amend to the first, ninth (except as to Leith), tenth (except as to Leith), twelfth, twentieth, twenty-first, thirtieth, forty-second, forty-third, forty-fifth, and forty-sixth cause of action and to enter a new order overruling those demurrers.

The order sustaining the remaining demurrers without leave to amend is affirmed. On remand, NSF may amend its complaint consistent with this opinion.

The order awarding REI, CFM, and Crockett attorney fees is reversed. The parties to bear their own costs on appeal. Levy, J.

We concur: Wiseman, Acting P.J.; Kane, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053258 People v. Parra

The order granting the dismissal motion is reversed and the matter is remanded to the superior court with directions to enter a new order denying the dismissal motion and reinstating the information. Levy, J.

We concur: Harris, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F053435 People v. Schieler

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F053435 People v. Schieler

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054268 In re Anastasia S., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F054268 In re Anastasia S., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054487 People v. Magnia

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.